



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

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STATE OF WASHINGTON  
FILED

DATE: March 22, 2018

TIME: 8:50 AM

WSR 18-08-004

**Agency:** Department of Social and Health Services, Economic Services Administration

**Subject of possible rule making:** The department is planning to amend WAC 388-446-0015, "What is an intentional program violation (IPV) and administrative disqualification hearings (ADH) for food assistance", and other related rules as may be required.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 74.04.050, RCW 74.04.055, RCW 74.04.57, RCW 74.04.510, RCW 74.08.090, and 7 CFR 271.2

**Reasons why rules on this subject may be needed and what they might accomplish:** Changes proposed under this filing will amend WAC 388-446-0015 and other related rules as may be required in order to align with federal regulations specifying the jurisdiction of administrative law judges over administrative disqualification hearings for intentional program violations of the basic food and food assistance programs.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal Supplemental Nutrition Assistance Program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

The state legislature authorizes the department to administer SNAP and food assistance program for legal immigrants under RCW 74.04.500, RCW 74.04.510, and RCW 74.08A.120.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington Basic Food program.

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rulemaking. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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(If necessary)

Name:

Address:

Phone:

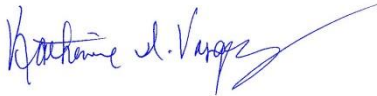
Fax:

TTY:

Email:

Web site:

Other:

Additional comments:	
<b>Date:</b> March 21, 2018	<b>Signature:</b> 
<b>Name:</b> Katherine I. Vasquez	
<b>Title:</b> DSHS Rules Coordinator	